

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-publication of Notice Statement)

Amend Section 119  
Title 14, California Code of Regulations  
Re: Trawl Nets Inside the Golden Gate Bridge

I. Date of Initial Statement of Reasons: August 23, 2005

II. Dates and Locations of Scheduled Hearings:

- |     |                                  |  |
|-----|----------------------------------|--|
| (a) | Notice Hearing:                  | Date: September 30, 2005<br>Location: Susanville, CA |
| (b) | Discussion and Adoption Hearing: | Date: December 9, 2005<br>Location: Concord, CA      |

III. Description of Regulatory Action:

- (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Existing regulations establish the areas, season, and other aspects for commercial trawl nets used inside the Golden Gate Bridge. This fishery targets Bay shrimp (*Crangon* sp) and several species of bait fish, including yellowfin goby, staghorn sculpin, and plainfin midshipman.

Section 119 was added to Title 14, California Code of Regulations (CCR), in 1979 and limited trawl nets to Districts 2, 12, and 13, as did the Fish and Game Code prior to 1979. In 1985, subsection 119(e), Title 14, CCR, was amended to limit trawls to the portions of these districts lying westerly of a projected straight line beginning at Point Edith on the south and extending through Buoy "6" to the shoreline on the north. However, there is a small portion of District 3 from the Carquinez Bridge to the Point Edith-Buoy 6 boundary line that is currently not open to commercial trawl nets.

The proposed regulation change would add District 3 from upstream of the Carquinez Bridge to the current Point Edith-Buoy 6 boundary line to the trawl permit areas, as requested by commercial Bay shrimp trawlers.

This proposed regulation change will permit trawling along the southern shoreline of Carquinez Strait (Contra Costa County), potentially increasing bay shrimp landings some seasons and years.

Plainfin midshipman is proposed to be included in the list of allowable species for this permit, pursuant to Section 8832, Fish and Game Code.

The reference to the Menlo Park office is proposed to be removed, as the office is now closed and this permit is available at all Department offices that issue commercial permits. Other minor changes are also proposed for regulation clarity.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Section 8832, Fish and Game Code.

Reference: Section 8832, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change:

None

- (d) Identification of Reports or Documents Supporting Regulation Change:

None

- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendment.

#### IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

No alternatives were identified.

- (b) No Change Alternative:

Trawl nets would not be allowed in District 3 upstream of the Carquinez Bridge, resulting in the exclusion of a small area of fishable waters.

- (c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations provide additional commercial fishing areas and opportunity without increasing compliance costs, and thus may increase earnings potential for commercial trawlers and other fishing-related businesses.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

(e) Nondiscretionary Costs/Savings to Local Agencies: None

(f) Programs Mandated on Local Agencies or School Districts: None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None

(h) Effect on Housing Costs: None

### Informative Digest/Policy Statement Overview

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